

P20938.201

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

JC772
04/26/01
U.S.
PTO

Attorney Docket No.	P20938	Total Pages	
Inventor(s) or Application Identifier Kiyoshi NAKAYAMA, Masami OHTSUKA, Haruko KAWATO, William WATKINS, Jason ZHANG, Monica PALME, and Aesop CHO			
Title: DRUG EFFLUX PULP INHIBITOR			

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

1035 U.S. PTO
04/26/01

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APPLICATION ELEMENTS	ACCOMPANYING APPLICATION PARTS
<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (Submit an original, and a duplicate for fee processing)</p> <p>2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. a. <input type="checkbox"/> Small Entity Statement(s)</p> <p>3. <input checked="" type="checkbox"/> Specification(in Japanese) [Total Pages <u>216</u>] (preferred arrangement set forth below) - Descriptive title of the Invention - Cross References to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure</p> <p>4. <input type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets <u> </u>]</p> <p>5. <input checked="" type="checkbox"/> Oath or Declaration [Total Pages <u>5</u>] a. <input type="checkbox"/> Newly executed (original or copy) <input checked="" type="checkbox"/> Unexecuted b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 20 completed) [Note Box 6 below] i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>6. <input type="checkbox"/> Incorporation By Reference (useable if Box 5b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.</p> <p>7. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p> <p>8. <input type="checkbox"/> CD-Rom or CD-R in duplicate, large table or Computer Program (Appendix)</p>	<p>9. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper c. <input type="checkbox"/> Statements verifying identity of above copies</p> <p>10. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))</p> <p>11. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney (when there is an assignee)</p> <p>12. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>13. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations</p> <p>14. <input type="checkbox"/> Preliminary Amendment</p> <p>15. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)</p> <p>16. <input type="checkbox"/> Figure of Drawing to be published _____</p> <p>17. <input type="checkbox"/> Foreign priority claimed a. <input type="checkbox"/> Claim of Priority b. <input type="checkbox"/> Certified Copy of Priority Document(s)</p> <p>18. <input checked="" type="checkbox"/> Assignee: <u>DAIICHI PHARMACEUTICAL CO., LTD. of Tokyo, JAPAN, and MICROCIDÉ PHARMACEUTICALS, INC. of Mountain View, California</u></p> <p>19. <input checked="" type="checkbox"/> Other: <u>Cover Letter under 37 CFR 1.53(b) and (f) and MPEP 608.01</u> _____ _____ _____</p>
<p>20. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information: <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior Application No. <u> </u> / <u> </u>, filed <u> </u>. <i>Prior application information: Examiner: _____ Group Art Unit: _____</i></p> <p>21. <input type="checkbox"/> Amend the specification by inserting before the first line the sentence: This application is a <u> </u> continuation-in-part, <u> </u> continuation, <u> </u> divisional, of Application No. <u> </u> / <u> </u>, filed <u> </u>.</p>	

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1941 Roland Clarke Place
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4/26/01
Date

Leslie M. Bernstein Reg. 16
33,329
Signature

Bruce H. Bernstein, Reg. No. 29,027
Typed or Printed Name

FEE TRANSMITTAL

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ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Prior to Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Requesting publication of SIR 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hearing</td><td></td></tr> <tr><td>141</td><td>1,240</td><td>241</td><td>620</td><td>Petition to institute a public use</td><td></td></tr> <tr><td>142</td><td>1,240</td><td>242</td><td>620</td><td>proceeding</td><td></td></tr> <tr><td>143</td><td>440</td><td>243</td><td>220</td><td>Petition to revive unavoidably abandoned</td><td></td></tr> <tr><td>144</td><td>600</td><td>244</td><td>300</td><td>application</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petition to revive unintentionally</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>abandoned application</td><td></td></tr> <tr><td>126</td><td>240</td><td>126</td><td>240</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Design issue fee</td><td></td></tr> <tr><td>146</td><td>710</td><td>246</td><td>355</td><td>Plant issue fee</td><td></td></tr> <tr><td>149</td><td>710</td><td>249</td><td>355</td><td>Petitions to the 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appeal		140	110	240	55	Request for oral hearing		141	1,240	241	620	Petition to institute a public use		142	1,240	242	620	proceeding		143	440	243	220	Petition to revive unavoidably abandoned		144	600	244	300	application		122	130	122	130	Petition to revive unintentionally		123	50	123	50	abandoned application		126	240	126	240	Utility issue fee (or reissue)		581	40	581	40	Design issue fee		146	710	246	355	Plant issue fee		149	710	249	355	Petitions to the Commissioner		179	710	279	355	Petitions related to provisional		169	900	169	900	applications		127	130	215	55	Submission of IDS		140	110	240	55	Recording each patent assignment per		141	1,240	241	620	property (times number of properties)		142	1,240	242	620	Filing a submission after final rejection		143	440	243	220	(37 CFR 1.129(a))		144	600	244	300	For each additional invention to be		122	130	122	130	examined (37 CFR 1.129(b))		123	50	123	50	Request for Continued Examination		126	240	126	240	(RCE)		581	40	581	40	Request for expedited 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P20938.P03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :K. NAKAYAMA et al.

Serial No :Not Yet Assigned

Filed :Concurrently herewith

For :DRUG EFFLUX PUMP INHIBITOR

**COVER LETTER ACCOMPANYING U.S. PATENT APPLICATION
FILED UNDER 37 C.F.R. 1.53(b)AND 1.53(f) AND M.P.E.P. 608.01**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Enclosed is a new patent application for filing in the U.S. Patent and Trademark Office under 37 C.F.R. 1.53(b) and (f) and M.P.E.P. 608.01. The Declaration and Power of Attorney attached hereto is in unexecuted form and the application is in the Japanese language. An executed Declaration and Power of Attorney and verified literal English translation will be filed within the time period set forth in the Notice to File Missing Parts of Application, unless such time period has been extended by the filing of a petition accompanied by the extension fee under the provisions of 37 C.F.R. 1.136(a).

P20938.P03

Related to this, a correspondence address is provided in the unexecuted Declaration and Power of Attorney, and is as follows:

GREENBLUM & BERNSTEIN, P.L.C.
1941 Roland Clarke Place
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The above-identified application includes:

- 216 pages of specification with abstract(in Japanese); and
- an unexecuted Declaration and Power of Attorney.

Respectfully submitted,
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